



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

OCT 24 2016

CERTIFIED MAIL: RETURN RECEIPT REQUESTED, #9590 9401 0007 5205 8862 60
GENERAL NOTICE LETTER
URGENT LEGAL MATTER - PROMPT REPLY NECESSARY

Steuart Transportation Company
John R. Clark III, President
5454 Wisconsin Avenue, Suite 1600
Chevy Chase, Maryland 20815

**Re: SBA Shipyard Superfund Site, Jennings, Jefferson Davis Parish, Louisiana;
CERCLIS #: LAD008434185; General Notice Letter**

Dear Mr. Clark:

The purpose of this letter is to provide Steuart Transportation Company (hereinafter is referred to as "you" or "your") with written notice of your potential liability at the SBA Shipyard Superfund Site ("Site") located in Jennings, Jefferson Davis Parish, Louisiana. Information available to the U.S. Environmental Protection Agency ("EPA" or the "Agency") indicates that you may be responsible for the cleanup or costs of cleanup of the contamination found at the Site under the Comprehensive Environmental Response, Liability, and Compensation Act ("CERCLA").

Under CERCLA, the EPA is responsible for responding to the release or threat of release of hazardous substances, pollutants or contaminants into the environment – that is, for stopping further contamination from occurring and for cleaning up or otherwise addressing any contamination that has already occurred. The EPA has documented that such a release or threat or release has occurred at the SBA Shipyard Superfund Site. The EPA has spent public funds to investigate and control releases of hazardous substances or potential releases of hazardous substances at the Site.

Explanation of Potential Liability

Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. §§ 9606(a) and 9607(a), potentially responsible parties ("PRPs") may be required to perform cleanup actions to protect the public health and welfare or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site. PRPs include current and former owners and operators of the Site, as well as persons who sent or transported hazardous substances to the Site for disposal or treatment or who arranged for the disposal or treatment of hazardous substances at the Site.

Based on the information collected, the EPA believes that you may be liable under Section 107(a) of CERCLA, with respect to the SBA Shipyard Superfund Site, as an arranger, who by contract or agreement, arranged for the disposal, treatment, or transportation of hazardous substances at the Site.

Site History

The Site is situated on approximately 98 acres of land located in a rural-industrial area at 9040 Castex Landing Road, Jennings, Jefferson Davis Parish, Louisiana 70546. The Site is within Section 19 of Range 2W, Township 105 and is located at the end of Louisiana Highway 3166) which is on the west bank of the Mermentau River. The Site is approximately four miles southeast of downtown Jennings and two miles southwest of the village of Mermentau. The Site is bordered to the north by residents, south and west by wetlands, and east by the Mermentau River and wetlands.

The Site primarily consists of two separately-owned parcels of property, one southern and one northern. The southern and northern properties are generally divided by a property line that runs just north of the large barge slip. Suzanne Smailhall Cornelius, (heir of Louis Smailhall, principal of SBA Shipyards, Inc.) and SBA Shipyards, Inc. (now inactive) own the southern property, which historically was operated as a barge cleaning operation. Bunge Street Properties, LLC, f/k/a Leevac Shipyards, Inc., owns the northern property, which historically was operated as a vessel construction and repair operation.

SBA Shipyards, Inc. ("SBA") began operations at the Site on about 1965. Initially, it performed vessel construction and repair operations on what is now the northern parcel. In the 1970s, SBA constructed the graving dock on the northern parcel and dredged the barge slip and constructed the barge cleaning facility on what is now the southern parcel. Leevac Shipyards, Inc. ("Leevac") entered into a lease with option to purchase for the northern vessel construction and repair facility with SBA in 1993. Leevac operated vessel construction and repair operations on the northern parcel beginning in 1993. Leevac then exercised its option to purchase in 1998 and acquired the northern parcel at that time and continued its operations. SBA continued to operate its barge cleaning operations on the southern parcel up until approximately 2006, when Mr. Smailhall died.

Vessel construction and repair utilized two launch slips with on-land rails to haul and launch vessels and eventually a graving dock with a moving gate where a vessel could enter and the dock de-watered to allow construction and repairs on dry land. Both SBA and Leevac activities included sandblasting, cutting and painting, as well as fabricating and repairing vessels. Barge cleaning operations were conducted by SBA only on the southern parcel. SBA converted a small barge placed on land adjacent to the barge slip into its "boiler barge," which it used to generate steam for use in cleaning barges and it also served as the barge cleaning control room.

SBA cleaned barges and other vessels that had contained as last cargos a variety of materials, including, but not limited to: acrylates, asphalt, carbon tetrachloride, coal tar, coke oven tar, carbon black, carbon oil, , caustic soda, creosote, cumene, black oil and black oil slop, bunker crude, diesel fuel, heavy grease, waste water, ethyl acrylates, kerosene, lube oil, methanol, number 6 oil , rust, scale, styrene, sour gas oil, soy bean oil, sulphuric acid, tallow, and vinyl acetate.

SBA used a large partially buried barge, as well as above-grade tanks constructed from cut-up barges, to store liquids, sludges, solids and other materials during the barge cleaning process. SBA also constructed and used an unlined surface impoundment called the Oil Pit to store liquids, sludges, solids and other materials. Aside from the Oil Pit, SBA used three other unlined surface impoundments, called Water Pits 1, 2 and 3, to receive wastewater, sludges and solids from the barge cleaning process.

In December 10, 2002, EPA entered into an Order and Agreement for Interim Measures/Removal Action (IM/RA) of Hazardous/Principal Threat Wastes at SBA Shipyards, Inc., Docket No. RCRA-6-2002-0908, pursuant to RCRA Section 3008(h) ("2002 Order/Agreement") with SBA and SSIC Remediation, LLC ("SSIC"), an entity formed by certain former customers of SBA's barge cleaning operations to conduct this work. Interim removal activities were conducted from March 2001 through January 2005 under the 2002 Order/Agreement. Interim removal activities consisted of the removing, solidifying, and recycling and/or disposing off-site the waste in the Oil Pit and Water Pit 2 and then over-excavation of the Oil Pit and Water Pit 2; removal and scrapping of above ground storage tanks; draining and refilling of Water Pit 3; removing all pumpable materials from the partially buried barge and disposing those materials off-site, then welding shut all hatches to that barge; and surface scrapping of all visible materials from a former land treatment unit (FLTU). By letter dated February 24, 2006, EPA Region 6's RCRA branch reviewed and approved the completion report of the IM/RA activities and concluded that the completion report fulfilled the 2002 Order/Agreement. The IM/RA, however, was intended as an interim response; hazardous substance remained onsite after the IM/RA.

In October 2012, the U.S. Coast Guard and the LDEQ responded to a reported release at the barge cleaning portion of the Site from an attempt to scrap the "boiler barge" and the partially buried storage barge by parties contracted by the owner of the southern portion of the Site. During 2014 to 2015, EPA conducted a CERCLA emergency removal action and an Oil Pollution Act of 1990 removal action after LDEQ reported barge scrapping activities and releases of visible liquids at the Site.

Between December 2012 and September 2014, EPA conducted a preliminary assessment, site inspection, and expanded site inspection. As part of EPA activities, the Agency conducted sampling activities at the Site. During those site activities, EPA sampling documented releases or threats of releases of hazardous substances in the subsurface and groundwater of the Site, the Mermentau River, and wetlands surrounding the Site. Numerous hazardous substances were identified at the Site including petroleum hydrocarbons, numerous polycyclic aromatic hydrocarbons, dioxins/furans, metals, and volatile organic compounds. Petroleum and non-petroleum substances found at portions of the Site are or were comingled.

Information to Assist You

The EPA would like to encourage communication between you, other PRPs, and EPA at the Site. The EPA is in the process of negotiating a remedial investigation/feasibility study administrative settlement and order on consent ("ASAOC") for the Site with some of the potentially responsible parties. If you would

like to discuss the opportunity to join this ongoing settlement, please contact counsel representing the group of potentially responsible parties below within **30 days** of receipt of this Notice Letter:

Michael A. Chernekoff
Partner
Jones Walker LLP
1001 Fannin St., Ste. 2450
Houston, Texas 77002
(713) 437-1827
mchernekoff@joneswalker.com

We encourage you to give this matter your immediate attention and request. The EPA plans to finalize the ASAOC after the 30-day response period for this General Notice. If you choose not to join the ongoing settlement discussions or pursue other options to satisfy your potential liability with the EPA, the EPA will evaluate enforcement options, including issuing special notice letters to all potentially liable parties known to the EPA at that time.

Also included in this letter to assist you are: the evidentiary documents as Enclosure A; the Small Business Resource Fact Sheet as Enclosure B; and the parties receiving this letter as Enclosure C.

Financial Concerns/ Ability-to-Pay Settlements

The EPA is aware that the financial ability of some PRPs to contribute toward the payment of response costs at a site may be substantially limited. In accordance with Section 122(g)(7) of CERCLA, 42 U.S.C. § 9622(g)(7), the EPA will review financial information that you submit in order to determine whether you have an inability or a limited ability to pay response costs incurred at the Site. As part of this review, the EPA will take into consideration your overall financial condition and demonstrable constraints on your ability to raise revenue. Based upon the financial information that you may submit, EPA will determine whether it can qualify for a reduction in the settlement amount and/or an alternative payment method within the meaning of Section 122(g)(7) of CERCLA, 42 U.S.C. § 9622(g)(7).

If you believe that you qualify for a reduction in any settlement amount and/or alternative payment amount under the criteria described in the paragraphs above, please contact Mr. Talton, at 214-665-7475 for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements and an information request for your relevant financial information, and you will be asked to submit financial records including business federal income tax returns. If the EPA concludes that you have a legitimate inability to pay the full amount of the response costs, the EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that because the EPA has a potential claim against you, if your financial status changes in any significant way, e.g., filing for bankruptcy, you must include the EPA as a creditor. The EPA reserves the right to file a proof of claim or an application for reimbursement of administrative expenses.

Resources and Information for Small Businesses

As you may be aware, on January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which we suggest that all parties evaluate. You may download a copy of the law at <http://www.gpo.gov/fdsys/pkg/PLAW-107publ118/pdf/PLAW-107publ118.pdf> and review the EPA guidances regarding these exemptions at <http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/>.

The EPA has created a number of helpful resources for small businesses. The EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers which offer various forms of resources to small businesses. You may inquire about these resources at <http://www.epa.gov/compliance/compliance-assistance-centers>. In addition, the EPA Small Business Ombudsman may be contacted at <http://www.epa.gov/resources-small-businesses/forms/contact-us-about-resources-small-businesses>. Finally, the EPA has developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act (SBREFA) and information on resources for small businesses, which is enclosed with this letter as Enclosure B and available on the Agency's website at <http://www.epa.gov/compliance/small-business-resources-information-sheet>.

Thank you in advance for your cooperation. We look forward to working closely with you in the future. If you have any questions regarding the notice or any of the documentation included, please contact Mr. Kenneth Talton at 214-665-7475 or talton.chuck@epa.gov. Questions concerning legal matters should be directed to the EPA site attorney, Ms. I-Jung Chiang, at 214-665-2160 or chiang.i-jung@epa.gov. Thank you for your attention to this matter.

Sincerely yours,



Ben Banipal, P.E., Branch Chief
Technical and Enforcement Branch
Superfund Division

Enclosures:

- A Evidentiary Documents
- B Small Business Resource Fact Sheet
- C Parties Receiving General Notice letter

ENCLOSURE A

**SBA SHIPYARD SUPERFUND SITE
JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA
GENERAL NOTICE LETTER**

EVIDENTIARY DOCUMENTATION

Invoices and/or Marine Chemist Certificates

MARINE CHEMIST CERTIFICATE

SERIAL NO. B134501

Survey Requested by ELIZABETH S	Vessel Owner or Agent TANK BARGE	Date 5-8-95
Vessel HEMMET	Type of Vessel Oil Tank	Specific Location of Vessel 11:15 AM
Last Three (3) Cargoes	Test Method	Time Survey Completed

Bow RAKE - HYDRAULIC OIL ON W/H - SAFE FOR WORKERS

CARGO TANKS
1-2-3-4-5 P/S - 0% LEL - HAZARD BOTTOMS - SAFE FOR WORKERS
SAFE FOR HOT WORK FR DECK PENETRATION
WITH FIRE W/TH AND CHARGED FIRE HSE
ON STAND-BY.

WING VOID D.B.
NO. 1 P/S - 0% LEL - HAZARD 3 TANKS - SAFE FOR WORKERS
NO. 1-5 - 0% LEL - SAFE HAZARD OIL ON BOTTOM - SAFE FOR WORKERS

NO. 2 P/S - 0% LEL - COAL TAR BOTTOMS - VENTILATION NO. 1
FR ENTRY

Pump Room - SAFE FOR WORKERS - COFFERDAM 4 - SAFE FOR WORKERS

Double Bottom - Pump Room - SAFE FOR HOT WORK FR W/TH
SAFE FOR DRILL ON EXTERNAL BOTTOM CHAIN PLATE
FR W/TH WITH CHARGED FIRE HSE READ. ON STAND-BY

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

QUALIFICATIONS: Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or release of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

STANDARD SAFETY DESIGNATIONS (partial list, paraphrased from NFPA 306-1980, Subsections 1-6.1 through 1-6.4, and Subsection 5-3.2).

SAFE FOR WORKERS: Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

NOT SAFE FOR WORKERS: Means that in the compartment or space so designated, the requirements of Safe for Workers has not been met.

SAFE FOR HOT WORK: Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or lube oil tanks or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

NOT SAFE FOR HOT WORK: Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

SAFE FOR REPAIR YARD ENTRY: Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

CHEMIST'S ENDORSEMENT. This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306-1980 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

"The undersigned acknowledges receipt of this Certificate under Section 2-3 of NFPA 306-1980 and understands conditions and limitations under which it was issued."

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

Signed Name Company Date	Signed Marine Chemist Certificate No.
NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS	

SERIAL NO. D 46226

SBA S-V. STEPHEN TRANSPORTATION Co. 1-7-87
Survey Requested by Vessel Owner or Agent Date
STC 008 TANK BARGE SBA HANNING, LA.
Vessel Type of Vessel Specific Location of Vessel
ASPHALT Oil / LEL / VISUAL 4:15 PM
Last Three (3) Cargoes Test Method Time Survey Completed

PORTABLE AIR VENTILATION REQUIRED IN WORK TANK.
BOW RAKE
STERN RAKE

AFTER HOT OIL TANKS P/S SAFE FOR WORKERS
AFTER DIESEL OIL TANKS P/S SAFE FOR HOTWORK
ENGINE - BOILER ROOM

DOUBLE BOTTOMS
No. 1 & 2 P/S - SAFE FOR WORKERS - SAFE FOR HOTWORK

CARGO TANKS - SAFE FOR WORKERS - SAFE FOR HOTWORK
No. 1-2-3-4 P/S FIREWATCH WITH CHARGED FIREHOSE
REQUIRED AT WORK LOCATION.

DECK HOT OIL TANK - OIL - NOT SAFE FOR HOTWORK.

HOT OIL COILS - SAFE FOR HOTWORK

CARGO LINES - SAFE FOR HOTWORK TO BURN BOATS, AND DROP VALVES
AND THEN SAFE FOR HOTWORK ON LINES.

DEEP WELLS (2) - NOT SAFE FOR HOTWORK. - ISOLATED -

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STANDARD SAFETY DESIGNATIONS (partial list, paraphrased from NFPA 306 Subsections 1-6.1 through 1-6.4, and Subsection 5-3.2).

SAFE FOR WORKERS: Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

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NOT SAFE FOR HOT WORK: Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

SAFE FOR REPAIR YARD ENTRY: Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

CHEMIST'S ENDORSEMENT. This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

"The undersigned acknowledges receipt of this Certificate under Section 2-3 of NFPA 306 and understands conditions and limitations under which it was issued."

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

Signed Louis Smahel SBA 1-7-87 Signed Kenneth J. New 577
Date Marine Chemist Certificate No.

Survey Requested by SBA S.V.	Vessel Owner or Agent STEWART TRANSPORTATION	Date 12-19-95
HUNTIE NAME	TANK BARGE	SBA Lennex
Vessel Asphalt	Type of Vessel Oz/LEZ/Visual	Specific Location of Vessel 10:30 AM
Last Three (3) Cargoes	Test Method	Time Survey Completed

Bow RAKE — 0% LEL SAFE FOR WORKERS
Loose MAGNARITE ON BOTTOM

Large Tanks
No. 1-2-3-4-5 P/B — SAFE FOR WORKERS
SAFE FOR HOTWORK TO BURN HOLES
IN DECK WITH FIRE RETARDANT
CLOTH UNDER MOUTH TO CATCH FIRE AND
FIREWATCH WITH CHARGED FIREAXE ON
STAND-BY.

Pumps Room — Loose Soft Asphalt — 0% LEL

Cofferdam — Soft Asphalt on Bottom — 0% LEL

Wing Units No. 1-2-3 P/B — Soft Asphalt on Bottom — 0% LEL

DOUBLE BOTTOMS — CLOSED & SECURED

FUEL TANKS — FULL

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

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STANDARD SAFETY DESIGNATIONS (partial list, paraphrased from NFPA 306 Subsections 1-6.1 through 1-6.4, and Subsection 5-3.2).

SAFE FOR WORKERS: Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

NOT SAFE FOR WORKERS: Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

SAFE FOR HOT WORK: Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or lube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

NOT SAFE FOR HOT WORK: Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

SAFE FOR REPAIR YARD ENTRY: Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

CHEMIST'S ENDORSEMENT. This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

"The undersigned acknowledges receipt of this Certificate under Section 2-3 of NFPA 306 and understands conditions and limitations under which it was issued."

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

Signed  SBA 12/19/95 Signed 
Name Company Date Marine Chemist Certificate No.

AFTER PUMP ROOM

SAFE FOR WORKERS

FOREPEAK

SAFE FOR HOT WORK

CHAIN LOCKER

FIREFIGHTING WITH CHARGED

PORT AFT FUEL TANK

FIREHOSE REQUIRED

CARGO TANKS 3PIS, 5P

WITH WATER OVER

HARD ASPHALT

SAFE FOR HOT WORK

SAFE FOR WORKERS

CARGO TANKS 1PIS, 2PIS, 4PIS, 5S

HARD ASPHALT

SAFE FOR HOT WORK

WITH WATER BOTTOM

SAFE FOR WORKERS

WING DOUBLE BOTTOMS #1S, 3S

WITH FIREFIGHTING CHARGE

FIREHOSE

SAFE FOR WORKERS

SAFE FOR HOT WORK

WING DOUBLE BOTTOMS #1P, 2PIS, 3P

SOME RESIDUE, WITH AIR

VENT (MIN. 1000 CTH)

SAFE FOR WORKERS

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STANDARD SAFETY DESIGNATIONS (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

SAFE FOR WORKERS: Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

NOT SAFE FOR WORKERS: Means that in the compartment or space so designated, the requirements of Safe for Workers have not been met.

ENTER WITH RESTRICTIONS: Means that in any compartment or space so designated, entry for work may be made only if conditions of proper protective equipment, clothing, and time are as specified.

SAFE FOR HOT WORK: Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or lube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

NOT SAFE FOR HOT WORK: Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

SAFE FOR REPAIR YARD ENTRY: Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote

P.O. BOX 3602 BEAUMONT, TEXAS 77704
(409) 832-6409, 866-4822, 866-4223
W. B. HATAWAY 537 K. L. MERCER 577

MARINE CHEMIST CERTIFICATE

SERIAL NO. E 35491

SBA S.V.
Survey Requested by

STEWART TRANSPORTATION
Vessel Owner or Agent

3-16-90
Date

ELIZABETH S
Vessel

TANK BARGE
Type of Vessel

SBA/Texas City
Specific Location of Vessel

Hazardous (3)
Last Three (3) Cargoes

Oil/Water/Viscous
Tests Performed

12:15 PM
Time Survey Completed

Small Fuel Oil Tank

Safe For Workers
Safe For Hotwork

Forced Air Circulation Regd. (min. 500 cfm)

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SAFE FOR HOT WORK: Means that in the compartment so designated: (a) oxygen content of the atmosphere is at least 19.5 percent by volume, with the exception of inerted spaces or where external hot work is to be performed; and that, (b) the concentration of flammable materials in the atmosphere is below 10 percent of the lower flammable limit; and that, (c) the residues are not capable of producing a higher concentration than permitted by (b) above under existing atmospheric conditions in the presence of fire, and while maintained as directed on the Marine Chemist's Certificate; and further, that, (d) all adjacent spaces containing or having contained flammable or combustible materials have been cleaned sufficiently to prevent the spread of fire, or are satisfactorily inerted, or, in the case of fuel tanks or lube oil tanks, or engine room or fire room bilges, have been treated in accordance with the Marine Chemist's requirements.

NOT SAFE FOR HOT WORK: Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

SAFE FOR REPAIR YARD ENTRY: Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote sampling stations, and results indicate the atmosphere tested to be above 19.5 percent oxygen, and less than 10 percent of the lower flammable limit, or (b) are inerted.

CHEMIST'S ENDORSEMENT. This is to certify that I have personally determined that all spaces in the foregoing list are in accordance with NFPA 306 Control of Gas Hazards on Vessels and have found the condition of each to be in accordance with its assigned designation.

"The undersigned acknowledges receipt of this Certificate under Section 2-8 of NFPA 306 and understands conditions and limitations under which it was issued."

This Certificate is based on conditions existing at the time the inspection herein set forth was completed and is issued subject to compliance with all qualifications and instructions.

Signed Robert R. [Signature]
Name Company

3/16/90
Date

Signed [Signature]
Marine Chemist Certificate No.

NOTE: THIS CERTIFICATE IS VALID ONLY ON MARINE VESSELS

FOREPEAK

SAFE FOR WORKERS

NO. 1 DIS. BULKHEAD BOTTOMS

SAFE FOR HOT WORK

AIR VENT. (MIN. 5000 FPM) REQUIRED

NO. 1 DIS. WING TANKS

GENERALLY CLEAN, HAVE

FORWARD BULKHEAD

WATCH WITH CHARGE

FIREHOLE ON STAND, TIT

SAFE FOR WORKERS

SAFE FOR HOT WORK

AFTER PUMP ROOM

WITH WATER BOTTOM,

SAFE FOR WORKERS

SAFE FOR HOT WORK

ON FRESH ROBS.

MAIN DECK

SAFE FOR HOT WORK

ABOVE MAIN DECK

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

QUALIFICATIONS: Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or reissue of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

STANDARD SAFETY DESIGNATIONS (partial list, paraphrased from NFPA 306 Subsections 2-3.1 through 2-3.5, and Subsection 6-3.2)

SAFE FOR WORKERS: Means that in the compartment or space so designated: (a) the oxygen content of the atmosphere is at least 19.5 percent by volume; and that, (b) toxic materials in the atmosphere are within permissible concentrations; and that, (c) the residues are not capable of producing toxic materials under existing atmospheric conditions while maintained as directed on the Marine Chemist's Certificate.

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NOT SAFE FOR HOT WORK: Means that in the compartment so designated, the requirements of Safe for Hot Work have not been met.

SAFE FOR REPAIR YARD ENTRY: Means that the compartments and spaces of the flammable cryogenic liquid carrier so designated: (a) have been tested by sampling at remote

ALL CARGO TANKS 1D15
2D15, 3C
4D15, 5D15

HARD PENDING, 11-11
AIR VENT (MIN 1000 CFM)
SAFE FOR WORKERS
FOR INSPECTION
NO DETECTABLE LEAKAGE

No. 1 PPS WING TANKS	AREA WIPEZ IN CARGO TANKS
No. 1 PPS CARGO TANKS	1 PLACE IN EACH CARGO TANK
No. 2 PPS WING TANKS	W/TH FIREGLASS W/TH C/AREZ
No. 2 P CARGO TANK (3 WIPEZ AREAS) (PORT SIDE)	FIRE HOSE IN EACH CARGO TANK
	SAFE FOR WORKERS
	SAFE FOR HOT WORK
No. 3 C CARGO (2 WIPEZ AREAS) (PORT SIDE)	ONLY CLEANED AT A SAFE FOR HOT WORK
	OVERTHEAD ON 2 DRAWING SE
	SAFE FOR HOT WORK ON STANCHION
No. 3 PORT WING	SAFE FOR HOT WORK
	TO INSTALL INSERT AT TANK
	TOP AROUND MAIN HOLE
No. 2 PORT WING	HAS WATER BOTTOM UP TO ANGLE
STRD SKEG	SAFE FOR HOT WORK

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

QUALIFICATIONS: Transfer of ballast or manipulation of valves or closure equipment tending to alter conditions in pipe lines, tanks or compartments subject to gas accumulation, unless specifically approved in this Certificate, requires inspection and endorsement or reissue of Certificate for the spaces so affected. All lines, vents, heating coils, valves, and similarly enclosed appurtenances shall be considered "not safe" unless otherwise specifically designated.

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No. 2 WING TANKS P/S } SAFE FOR WORKERS
MOTOR PUMP ROOM } SAFE FOR HOTWORK.

PUMP ROOM INSET IN No. 3.5

CARGO TANK

SAFE FOR WORKERS

* SAFE FOR HOTWORK

* FIREWATCH WITH CURBED FIREHOSE REQUIRED

DOUBLE BOTTOMS UNDER CARGO TANKS

P/S

SAFE FOR WORKERS

No. 3 DOUBLE BOTTOM P/S

SAFE FOR HOTWORK

FIREWATCH WITH CURBED FIREHOSE REQUIRED.

FORCED AIR VENTILATION REQUIRED IN WARE TANKS
(MIN. 1000 CFM)

These Certificates are ALL For -
Asphalt Barges - that we cleaned
For Hot work - For Stewart Transportation
which - was sold - (prior to year
with exception of Iron Mike which was
removed - AX - while the ME

In the event of any physical or atmospheric changes adversely affecting the STANDARD SAFETY DESIGNATIONS assigned to any of the above spaces, or if in any doubt, immediately stop all work and contact the undersigned Marine Chemist.

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No. 2 WING TANKS P/S / SAFE FOR WORKERS
PETER PUMP ROOM / SAFE FOR HOT WORK.

PUMP ROOM INSET IN No. 3,5
CARGO TANK / SAFE FOR WORKERS
* SAFE FOR HOT WORK

* FIREWATCH WITH CHARGED FIREHOSE REQUIRED.

DOUBLE BOTTOMS UNDER CARGO TANKS
P/S / SAFE FOR WORKERS

No. 3 DOUBLE BOTTOM P/S / SAFE FOR HOT WORK
FIREWATCH WITH CHARGED FIREHOSE REQUIRED.

FORCED AIR VENTILATION REQUIRED IN WALK TRAIL
(MIN. 100 CFM)

These Certificates are ALL For -
Asphalt Barges. that we cleaned
For Hot work. For Street transportation
which - was sold. Approx. 6 years
with exception of Iron Mike which was
remaned. Ex. dated 10/1/15

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ENCLOSURE B

**SBA SHIPYARD SUPERFUND SITE
JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA
GENERAL NOTICE LETTER**

SMALL BUSINESS RESOURCES FACT SHEET



U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Small Business Programs

www.epa.gov/smallbusiness
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman

www.epa.gov/sbo or 1-800-368-5888
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

EPA's Compliance Assistance Homepage

www2.epa.gov/compliance
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

ccar-greenlink.org/ or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printing

www.pneac.org

Ports

www.portcompliance.org

Transportation

www.tercenter.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

EPA Hotlines, Helplines and Clearinghouses

www2.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center

www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center

Hotline to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) -

www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline -

www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone/comments.htm or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline

tsc hotline@epa.gov or 1-202-554-1404

Small Entity Compliance Guides

<http://www.epa.gov/sbrefa/compliance-guides.html>

EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

Regional Small Business Liaisons

<http://www.epa.gov/sbo/rsbl.htm>

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

State Resource Locators

www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

www.epa.gov/sbo/507program.htm

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

EPA's Tribal Portal

www.epa.gov/tribalportal/

The Portal provides access to information on environmental issues, laws, and resources related to federally recognized tribes.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy

www2.epa.gov/enforcement/small-businesses-and-enforcement

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy

www2.epa.gov/compliance/epas-audit-policy

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.

ENCLOSURE C

SBA SHIPYARD SUPERFUND SITE JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA PARTIES RECEIVED GENERAL NOTICE LETTER DATED OCTOBER 4, 2016

Allied Towing
c/o Allied Towing Service LLC
Francis J. Lobrano
Registered Agent for Allied Towing Service LLC
147 Keating Dr.
Belle Chasse, Louisiana 70037

Allied Towing
c/o Allied Towing Service LLC
12608 Hwy 23
Belle Chase, Louisiana 70037

Koppers Company Inc.
c/o Beazer East Inc.
Jill M. Blundon
Registered Agent for Beazer East Inc.
436 Seventh Ave.
Pittsburgh, Pennsylvania 15219

Koppers Company Inc.
c/o Beazer East Inc.
99 Wood Ave. South
Iselin, New Jersey 08830

Koppers Company Inc.
c/o Beazer East, Inc.
1910 Cochran Rd., Suite 200
Pittsburgh, Pennsylvania 15220

Higman Marine Service
c/o Higman Services Corporation
CT Corporation System
Registered Agent for Higman Services Corporation
5615 Corporate Blvd., Suite 400B
Baton Rouge, Louisiana 70808

Higman Marine Service
c/o Higman Services Corporation
Attn: Legal Department
1980 Post Oak Blvd., Suite 1101
Houston, Texas 77056

Ingram Barge Co.
CT Corporation System
Registered Agent for Ingram Barge Co.
5615 Corporate Blvd., Suite 400B
Baton Rouge, Louisiana 70808

Ingram Barge Co.
4400 Harding Road
Nashville, Tennessee 37205

Hall-Buck Marine
c/o Kinder Morgan Bulk Terminals Inc.
CT Corporation System
Registered Agent for Kinder Morgan Bulk Terminals Inc.
5615 Corporate Blvd., Suite 40B
Baton Rouge, Louisiana 70808

Hall-Buck Marine
c/o Kinder Morgan Bulk Terminals Inc.
Attn: Legal Department
7116 Hwy 22
Sorrento, Louisiana 70778

Hollywood Marine Inc.,
c/o Kirby Inland Marine, LP
Registered Agent
d/b/a CSC-Lawyers Incorporating Service Company
211 E. 7th Street, Suite 620
Austin, Texas 78701-3136

Hollywood Marine Inc.
c/o Kirby Inland Marine LP
Corporation Service Co.
Registered Agent for Kirby Inland Marine LP
320 Somerulos St.
Baton Rouge, Louisiana 70802-6129

Hollywood Marine Inc.
c/o Kirby Inland Marine LP
Attn: Legal Department
55 Waugh Dr., Suite 1000
Houston, Texas 77007

Steuart Transportation Company
Registered Agent
National Registered Agents, Inc., of MD
351 W Camden Street
Baltimore, Maryland 21201

Steuart Transportation Company
5454 Wisconsin Avenue, Suite 1600
Chevy Chase, Maryland 20815

Sabine Towing
c/o Sabine Towing & Transportation Co. Inc.
CT Corporation System
Registered Agent for Sabine Towing & Transportation Co.
Inc.
5615 Corporate Blvd. Suite 400B
Baton Rouge, Louisiana 70808

Sabine Towing & Transportation Co. Inc.
c/o Sequa Corporation
Attn: Legal Department
300 Blaisdell Rd.
Orangeburg, New York 10962

Sun Oil Company
c/o Sunoco, Inc.
Corporation Service Company
Registered Agent for Sunoco, Inc.
1703 Laurel Street
Columbia, SC 29201

Sun Oil Company
c/o Sunoco, Inc.
1735 Market Street, Suite LL
Philadelphia, Pennsylvania 19103

Sun Oil Company
c/o Sunoco, Inc.
Kevin Dunleavy, Chief Counsel
Law Department,
1735 Market Street, Suite LL
Philadelphia, PA 19103

Sun Terminals of Louisiana
c/o Sunoco, Inc.
Corporation Service Company
Registered Agent for Sunoco, Inc.
1703 Laurel Street
Columbia, SC 29201

Sun Terminals of Louisiana
c/o Sunoco, Inc.
1735 Market Street, Suite LL
Philadelphia, Pennsylvania 19103

Sun Terminals of Louisiana
c/o Sunoco, Inc.
Kevin Dunleavy, Chief Counsel
Law Department
1735 Market Street, Suite LL
Philadelphia, PA 19103

State of Louisiana
Department of Transportation &
Development (DOTD)
P.O. Box 94245
Baton Rouge, Louisiana 70802

State of Louisiana
Department of Transportation &
Development (DOTD)
Brandon Brown, General Counsel
P.O. Box 94245
Baton Rouge, Louisiana 70802

State of Louisiana
Department of Transportation &
Development (DOTD)
Kevin Reed, Ferry Systems Engineer
P.O. Box 94245
Baton Rouge, Louisiana 70802

**SBA SHIPYARD SUPERFUND SITE
JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA
PARTIES RECEIVING GENERAL NOTICE LETTER**

Koppers Company, Inc.
c/o Beazer East, Inc.
Paul S. Kline, Esq.
Environmental Counsel
Three Rivers Management, Inc.
Agent for Beazer East Inc.
1910 Cochran Rd.
Manor Oak One, Suite 200
Pittsburgh, Pennsylvania 15220

Steuart Transportation Company
John R. Clark III, President
5454 Wisconsin Avenue, Suite 1600
Chevy Chase, Maryland 20815

Kyle Shaw
Higman Service Corporation as Successor to Higman Barge Lines, Inc.
1980 Post Oak Boulevard, Suite 1101
Houston, Texas 77056

Higman Service Corporation as Successor to Higman Barge Lines, Inc.
c/o Edward F. LeBreton, III
Fowler Rodriguez
400 Poydras Street, 30th Floor
New Orleans, Louisiana 70130